



SO ORDERED.

SIGNED this 13th day of March, 2015

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**



Suzanne H. Bauknig

UNITED STATES BANKRUPTCY JUDGE

*IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION AT KNOXVILLE*

IN RE:

**DAVID ODES ROBINETTE,
SSN XXX-XX-4110**

**CASE NO. 13-33503
Chapter 7**

Debtor.

**ORDER AUTHORIZING MICHAEL H. FITZPATRICK, TRUSTEE,
TO SELL REAL PROPERTY OF THE ESTATE FREE AND CLEAR OF LIENS WITH
LIENS ATTACHING TO THE PROCEEDS OF SALE AND TO PAY REAL ESTATE
COMMISSION AT CLOSING**

This case came before the Court for hearing March 12, 2015, upon the Trustee's Motion to Sell Real Property of the Estate Free and Clear of Liens concerning the real property located at 12106 Hewitt Lane (sometimes referred to as 12110 Hewitt Lane) **Parcel Number 102 01514**, Knoxville, TN 37932, and being the same property as fully described in the deed from J.D. Robinette and wife, Joyce H. Robinette to David Robinette dated May 21, 1999 and recorded in the Knox County Register of Deeds on May 24, 1999 in Book 2327, page 983 et seq., after service of a copy of the Motion to Sell and a notice for hearing pursuant to 11 U.S.C. § 363 upon all required parties. No objections were filed. Wells Fargo Bank, N.A. responded without opposition so long as its lien claims are paid in full from closing. The Court is therefore of the opinion that the relief should be granted as requested.

WHEREFORE, it is **ORDERED** as follows:

1. The sale of the real property being Knox County Parcel No. 102 01514, described in the deed from J.D. Robinette and wife, Joyce H. Robinette to David Robinette dated May 21, 1999 and recorded in the Knox County Register of Deeds on May 24, 1999 in Book 2327, page 983 et seq., to Charles J. Mascioli and wife, Patricia Mascioli, for the gross sum of \$825,000.00.
2. The payment in full of the two consensual mortgages to Wells Fargo Bank, N.A. upon the property at the sale closing.
3. The payment of the 6% real estate commission totaling \$49,600.00 to be split between Coldwell Banker Wallace & Wallace Realtors to receive 60% and Hammontree Real Estate to receive 40% to be paid at closing.
4. The pro ration allocation of the current year real estate taxes at closing.
5. The payment by the trustee as seller of the usual and customary closing costs.
6. The sale shall be free and clear of all liens and interests including, but not limited to, the lien claim of the Internal Revenue Service (pursuant to the notice of lien of record in the Knox County, TN Register of Deeds being instrument #201406230072317) and the marital rights of Veronica Robinette, all of which shall attach to the proceeds of sale and shall not be paid from closing.
7. The trustee shall file a report of sale within 10 days following closing.
8. The 10-day stay that would otherwise be applicable under Fed. R. Bankr. P. 6004(g) and 6006(d) shall not apply and this Order shall be immediately effective as of the date of its entry.

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APPROVED:

/s/ Michael H. Fitzpatrick

Michael H. Fitzpatrick, Esq.

BPR 006033

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